

Entered - 09/28/00 - sb
CL00L0595 - DIANNE C. MITCHELL

00-R -1725

CLAIM OF: JOYCE BRYANT
P. O. Box 31131-1743
Atlanta, Georgia 31131-1743

For damages alleged to have been sustained as a result of vehicular damage
due to debris in the roadway on July 7, 2000 at Interstate 285 and Highway
166.

THIS ADVERSED REPORT IS APPROVED

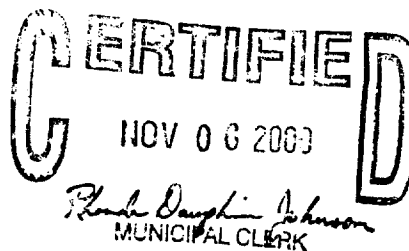
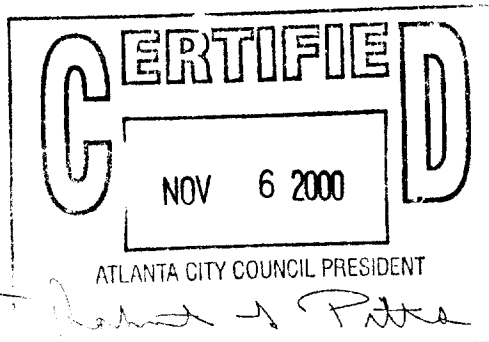
BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSED BY
CITY COUNCIL NOV 06 2000

DVERSE REPORT

Public Safety
10/31/00
V-C Clara Minislow
Dorey Smith
Wendy B.
Sherry L. Dorey





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

November 14, 2000

Joyce Bryant
P. O. Box 31131-1743
Atlanta, Ga 31131-1743

00-R-1725

Dear Ms. Bryant:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on November 6, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0595

Date: October 10, 2000

Claimant /Victim JOYCE BRYANT

BY: (Atty.) (Ins. Co.) _____

Address: P. O. Box 311743, Atlanta, Georgia 31131-1743

Subrogation: _____ Claim for Property damage \$ 491.75 Bodily Injury \$ _____

Date of Notice: 09/26/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 07/07/00 Place: Interstate 285 and Highway 166

Department _____ Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges her vehicle was damaged when she drove over debris in the roadway. The investigation determined that the location of the incident is part of the State highway system and is under the maintenance and control of the State of Georgia, Department of Transportation. The State of Georgia, Department of Transportation is a separate legal entity from the City of Atlanta. The claimant has been advised of the above.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 10-10-00

Committee Action: _____ Council Action _____

rec'd 9-26-00

cc: SG

original to Dianne Mitchell

M. Mitchell
09/27/00
[Signature]

August 31, 2000

CERTIFIED MAIL RECEIPT
7099 3400 0015 6971 6128

ENTERED - 9-28-00 - SB
00L0595 - DIANNE MITCHELL

City of Atlanta
City of Attorney Office
68 Mitchell Street, Suite 4100
Atlanta, GA 30335

Dear Sir/Madam:

On July 7, 2000 I had an unpleasant experience while traveling on 285 South toward Lakewood Freeway 166. As I approached Exit 5A, there was a steel beam lying on the road in my lane. It is my belief that the steel beam must have fallen off the highway sign near Exit 5A.

To prevent an accident, I was forced to drive over the beam which caused all four tires to go flat. If this object was not in the pathway, my tires would not have been flattened. There were witnesses present who assisted me during this entire ordeal and I can supply you with their names and telephone numbers, if you need them.

Therefore, I am asking to be reimbursed for the damage done to my car. Hyundai Specialist in Riverdale, Georgia assessed that I need to have a front-end alignment and my front left wheel was bent due to my driving over the steel object.

I have attached all pertinent documents to my claim for reimbursement which totals \$491.75 and I would appreciate very much your contacting me as soon as possible concerning this matter.

Sincerely,

Joyce M. Bryant
Joyce Bryant

00- R -1725

RCS# 2356
11/06/00
2:45 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty
B Starnes
Y Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
Y Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-R-1422
00-R-1666

CONSENT

		11/06/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1577 2. 00-O-1586 3. 00-O-1615 4. 00-O-1661 5. 00-O-1663 6. 00-O-1670 7. 00-R-1578 8. 00-R-1685 9. 00-R-1780 10. 00-R-1659 11. 00-R-1688 12. 00-R-1689 13. 00-R-1704 14. 00-R-1722 15. 00-R-1723 16. 00-R-1708 17. 00-R-1774 18. 00-R-1709 19. 00-R-1710 20. 00-R-1711 21. 00-R-1712 22. 00-R-1713 23. 00-R-1714 24. 00-R-1715 25. 00-R-1717 26. 00-R-1718 27. 00-R-1719 28. 00-R-1720 29. 00-R-1721	30. 00-R-1716 31. 00-R-1724 32. 00-R-1725 33. 00-R-1727 34. 00-R-1728 35. 00-R-1729 36. 00-R-1730 37. 00-R-1731 38. 00-R-1732 39. 00-R-1733 40. 00-R-1734 41. 00-R-1735 42. 00-R-1736 43. 00-R-1737 44. 00-R-1738 45. 00-R-1739 46. 00-R-1740 47. 00-R-1741 48. 00-R-1742 49. 00-R-1743 50. 00-R-1744 51. 00-R-1745 52. 00-R-1746 53. 00-R-1747 54. 00-R-1748 55. 00-R-1749 56. 00-R-1750 57. 00-R-1751 58. 00-R-1752	59. 00-R-1753 60. 00-R-1754 61. 00-R-1755 62. 00-R-1756 63. 00-R-1757 64. 00-R-1758 65. 00-R-1759 66. 00-R-1760 67. 00-R-1761 68. 00-R-1762 69. 00-R-1763 70. 00-R-1764 71. 00-R-1765 72. 00-R-1766 73. 00-R-1767 74. 00-R-1768 75. 00-R-1769 76. 00-R-1770 77. 00-R-1771 78. 00-R-1772 79. 00-R-1773